



General Assembly

Amendment

January Session, 2007

LCO No. 9572

SB0134109572HDO

Offered by:
REP. ROY, 119th Dist.

To: Subst. Senate Bill No. 1341

File No. 352

Cal. No. 679

**"AN ACT CONCERNING APPLICATION FOR A CERTIFICATE OF
PUBLIC CONVENIENCE AND NECESSITY AND PROTECTING
PUBLIC WATER SUPPLIES FROM CONTAMINATION."**

1 After the last section, add the following and renumber sections and
2 internal references accordingly:

3 "Sec. 501. Subsection (a) of section 16-43 of the general statutes is
4 repealed and the following is substituted in lieu thereof (*Effective from*
5 *passage*):

6 (a) A public service company shall obtain the approval of the
7 Department of Public Utility Control to directly or indirectly (1) merge,
8 consolidate or make common stock with any other company, or (2)
9 sell, lease, assign, mortgage, except by supplemental indenture in
10 accord with the terms of a mortgage outstanding May 29, 1935, or
11 otherwise dispose of any essential part of its franchise, plant,
12 equipment or other property necessary or useful in the performance of
13 its duty to the public. Any such disposition of an essential part of such
14 other real property of a public service company shall be by public

15 auction or other procedure for public sale, provided such auction or
16 public sale shall be conducted upon notice of auction or sale published
17 at least once each week for two weeks preceding the date of such
18 auction or sale in a newspaper having a substantial circulation in the
19 county in which such property is located. The public service company
20 shall submit evidence to the department of the notice given. On a
21 showing of good cause by such company to use a means of disposal
22 other than by public auction or other procedure for public sale, the
23 department may, on a finding of such good cause, authorize the use of
24 an alternative sales process. No public auction or public sale procedure
25 shall be required for the sale or other disposition of real property by a
26 water company to a municipality, the state or a nonprofit land-holding
27 organization, as defined in section 47-66. A public service company
28 other than a water company may sell, lease, assign, mortgage or
29 otherwise dispose of improved real property with an appraised value
30 of two hundred fifty thousand dollars or less or unimproved real
31 property with an appraised value of fifty thousand dollars or less
32 without such approval. The department shall follow the procedures in
33 section 16-50c for transactions involving unimproved land owned by a
34 public service company other than a water company. A water
35 company supplying water to more than five hundred consumers may
36 sell, lease, assign, mortgage, or otherwise dispose of real property,
37 other than public watershed or water supply lands, with an appraised
38 value of fifty thousand dollars or less without such approval. The
39 department shall not accept an application to sell watershed or water
40 supply lands until the Commissioner of Public Health issues a permit
41 pursuant to section 25-32. The condemnation by a state department,
42 institution or agency of any land owned by a public service company
43 shall be subject to the provisions of this subsection. On February 1,
44 1996, and annually thereafter, each public service company shall
45 submit a report to the Department of Public Utility Control of all real
46 property sold, leased, assigned, mortgaged, or otherwise disposed of
47 without the approval of said department during the previous calendar
48 year. Such report shall include for each transaction involving such
49 property, without limitation, the appraised value of the real property,

50 the actual value of the transaction and the accounting journal entry
51 which recorded the transaction."